IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FOURTEENTH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 19204 of 2004

Between:

Mandava Vithal Rao, S/o M.Venkata Ratnam,
R/o Mulapadu Village, Ibrahimpatnam Mandal,

Krishna District.

..... PETITIONER

AND

1 The Mandal Revenue Officer, Ibrahimpatnam Mandal,

Krishna District.
2 The Revenue Divisional Officer, Vijayawada, Krishna District.
3 The Sub-Collector, Krishna District at Vijayawada.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, Order or direction more particularly one in the nature of Writ of Mandamus directing the respondents not to finalise the appointment of Dealership in pursuance of notification in Rc.A7/1636/2004, dated 17-09-2004 in respect of two fair Price Shops situated in Mulapadu, Ibrahimpatnam Mandal, Krishna District, pending disposal of the representation

dated 20-03-2004 made by the petitioner.

Counsel for the Petitioner: MR.K.RAMESH CHOWDARY

Counsel for the Respondents: GP FOR CIVIL SUPPLIES

The Court made the following :

ORDER:

The petitioner claims that he has been managing two Fair Price Shops situated in Mulapadu Village, on behalf of two Dwacra Groups who were placed as in-charge dealers. It appears that the said two shops fell vacant in view of the resignations tendered by the permanent dealers about two years ago. While so, now the 2nd respondent-Revenue Divisional Officer, Vijayawada, Krishna District, has notified the said two vacancies for the appointment of permanent dealers. The petitioner seeks a writ of Mandamus directing the respondents not to finalise the said appointments, since he has already made a representation on 20-03-2004, making a request to appoint him as a dealer of the said two shops.

The law is well settled that the temporary dealer does not acquire any right for appointment on permanent basis. The petitioner is not even a temporary dealer and according to his own version he was only managing the shops on behalf of the in-charge dealers. Hence, the petitioner is not entitled for appointment on priority basis. It is always open to the petitioner to participate in pursuance of the impugned notification in which event, the same will be considered in

accordance with law, along with the other candidates.

Writ petition is accordingly disposed of. No costs.

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vs 14-10-2004

To

1 The Mandal Revenue Officer, Ibrahimpatnam Mandal,

Krishna District.
2 The Revenue Divisional Officer, Vijayawada, Krishna District.
3 The Sub-Collector, Krishna District at Vijayawada.

4 2CCs to the G.P for Civil Supplies, High Court Buildings, Hyderabad.(O.U.T)

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